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February 6, 2006



Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth St., SW
Washington, D.C. 20554

Attention: Enforcement Bureau

**RE: EB Docket No. 06-36; Case No. EB-06-TC-060
Certification of CPNI Filing (February 6, 2006)**

Dear Ms. Dortch,

I am Vice-President and General Counsel of Cinergy Communications Company ("Cinergy" or "the company"). As an officer and agent of Cinergy, I hereby certify that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in Part 64, Subpart U of the FCC's rules, 47 C.F.R. §§ 64.2001-64.2009. The information below serves as the company's statement accompanying its certificate explaining how the company's operating procedures ensure that it is in compliance with the rules in Part 64, Subpart U of the FCC's rules, 47 C.F.R. §§ 64.2001-64.2009.

Cinergy does not use customer proprietary network information ("CPNI") for any purposes except those permitted by Section 222 of the Communications Act of 1934, as amended, 47 U.S.C. § 222, and Part 64, Subpart U of the FCC's rules, 47 C.F.R. §§ 64.2001-64.2009. Specifically, Cinergy uses CPNI "to initiate, render, bill, and collect for telecommunications," 47 U.S.C. § 222(d)(1); "to protect the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services," 47 U.S.C. § 222(d)(2); "to provide ... inbound telemarketing, referral, or administrative services to the customer for the duration of the call, if such call was initiated by the customer and the customer approves of the use of such information to provide such service," 47 U.S.C. § 222(d)(2); "for the purpose of providing or marketing service offerings among the categories of service ... to which the customer already subscribes from the same carrier," 47 C.F.R. § 64.2005(a); and "to market services formerly known as adjunct-to-basic services," 47 C.F.R. § 64.2005(c)(3).

Cinergy does not use CPNI to market services to its own customers other than services in the category to which those customers already subscribe. Cinergy does not disclose

or permit access to CPNI for purposes of marketing other services to its customers, and does not disclose or permit access to CPNI to third parties for marketing or any other purposes.

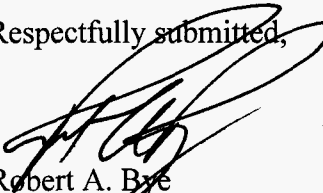
Because Cinergy never uses, discloses, or permits access to CPNI (except for the purposes specifically permitted by the statute and rules, as described above), Cinergy does not seek customers' approval to engage in activities in which the company does not engage. Cinergy does not employ any standard procedure to allow customers to "opt in" or "opt out" of the CPNI privacy safeguards because Cinergy does not use, disclose, or permit access to CPNI, with or without customer approval, except for the permissible purposes described above which do not require customer consent.

Cinergy employs standard password protection procedures similar to those used throughout the industry to ensure that its employees, agents, and contractors do not obtain unauthorized access to systems in which CPNI is stored. These procedures prevent marketing personnel from using or obtaining access to CPNI. Cinergy has in place standard training, supervisory review, and disciplinary procedures to detect and deter employees from violating the law and the company's rules and policies, and to impose appropriate penalties on violators.

In providing this response to the FCC's Public Notice DA 06-223 (released Jan. 30, 2006) and 47 C.F.R. § 64.2009, Cinergy has tried to be as accurate and complete as possible within the time frame set by the public notice. As a result, the information provided herein may be subject to modification or addition. The submission of this information does not waive, nor is it intended to waive, any of Cinergy's rights, privileges, or immunities with respect to this matter, including any applicable attorney-client, work product, or other privilege or immunity.

I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct, to the best of my knowledge, information, and belief.

Respectfully submitted,



Robert A. Bye
Vice-President and General Counsel
Cinergy Communications Co.

cc: Marcy Greene
Donna Cyrus
Rosemary Cabral
Byron McCoy